

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

U.S. DISTRICT COURT  
EASTERN DISTRICT - WI  
FILED

2015 MAY 11 P 12:05

JON W. SANFILIPPO  
CLERK

15-C-0564

Case No.

(Supplied by Clerk)

## **COMPLAINT**

## I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?

YES       NO

B. Have you begun other lawsuits in state or federal court?

YES       NO

C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

**1. Parties to the previous lawsuit**

Plaintiff(s) Larry Brooks

Defendant(s) Complete Warehouse of Distribution LLC

2. Court in which lawsuit brought (if federal court, name district; if state court, name the county)  
State of Wisconsin Equal Rights Division, Hearing Section, Milwaukee County

3. Docket number ERD NO. CR 2009 02227
4. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
Case was dismissed and was appealed to the LIRC and no longer pending
5. Approximate date of filing lawsuit June 23, 2009
6. Approximate date of disposition May 30, 2014

## II. PARTIES

A. Your name (PLAINTIFF) LARRY Brooks

B. Your Address and Phone Number 3555 N. 12<sup>th</sup> street Milwaukee, WI.  
53206 (708) 860-0652  
(If there is more than one plaintiff, use the margin for extra space if you need it. List the address only if it is different from the address listed above).

C. DEFENDANT (name) Complete Warehouse and Distribution, LLC

D. Defendants address 2207 S. 184<sup>th</sup> street West Allis, WI.  
53227

E. Additional DEFENDANTS (names and addresses) John Aceur; Mike Miller,  
Ron Malwick, Rebecca Vuckovic, Tim Hansen, Ronald Neumuth

## III. STATEMENT OF CLAIM (follow instructions carefully)

State briefly as possible the essential facts of your case. Tell what each defendant did to you that caused you to file this suit against them. If you are complaining about more than one wrong, use a separate **numbered** paragraph for each wrong, and describe each wrong in that paragraph and only that paragraph. State only the facts. *Do not give any legal theories or arguments, do not cite any cases or statutes. Do not feel you have to use all the space. USE NO MORE THAN THE SPACE PROVIDED.* THE COURT STRONGLY DISAPPROVES OF STATING CLAIMS OUTSIDE THE SPACE PROVIDED.

Begin statement of claim: November 2007, I began working for Complete Warehouse and Distribution LLC, as a Truck Driver. January 2008, Eugene (white) walks into Ron Mavick (Part owner and supervisor) office and address me saying "what's up my Nigger." I said to Eugene in front of Ron "I've told you for the last time don't call me that." Ron reply was come down (any he's only joking). I didn't appreciate Eugene calling me Nigger NOR Ron's response so I stormed out. There were Three other whites in the room Dan, Todd and Greg. The very next day I approached Ron in his office on 33<sup>rd</sup> and Willard. I told Ron I didn't appreciate Eugene using the "N" word or the racial jokes that followed. It's unwelcome, unwanted and I wish it best stop. I call Ron racist for participating. Ron response to being call racist was "I got black grandchildren." A few days after the conversation with Ron, Todd while in Ron's present said "Obama looks like a monkey see how far his ears stick out put some hair on his face and feed him bananas" they agreed and began laughing. Nothing changed Eugene was still using the "N" word but they were becoming overt. Dan was talking to Ron about black warehouse worker from second shift, "That black motherfucker son of a b----- lazy his mother should have killed him at birth, it's black Lazy motherfucker like him is why we should bring back the hanging tree. I believe I was trapped, Ron part owner and my white co-workers were ganging up talking Klan bike rally, displaying a gun and showing no respect. For the first blackman who would be President. In conversations with me about the President "your Boy or monkey" would come up. Early spring 2008, Dan was unloading my trailer, he had just took his motorcycle out for the summer. Dan said to me "your people" was looking hard at my bike when I stop for gas down the street, if they had done anything I would have so many of my white brother bikers down here you would think it's a Klan rally on bikes. I continued complaint to Ron, If any one knew about any policy on race harassment he would. I wasn't aware a company handbook exist at this time. Ron never imposed zero tolerance and race harassment toward me flourished along with Eugene usage of the "N" word. They began saying things

**STATEMENT OF CLAIM-Continued**

Like, why y'all wear y'all so low y'all show y'all ass, it's the same color as your face. bad white folk we can tan, God left y'all in the oven longer than us. Black people are like raccoon you can only see their eyes at night. I was watching the news last night and I saw another one of your people bit the dust, that's why I can't move down here y'all be killing yourself. In June 2008, I was setting in the truck completing daily paper work when Todd pulled up next me, he was leaving for the day when he began talking about his wife, she had left him, when Paul pull into the park in lot on 33<sup>rd</sup> and Willard. Paul had a white woman in the truck with him. Todd suddenly became aggressive reaching under his seat and pull out a pistol he had covered By a cloth. Before Todd could unsnap his gun Paul pull next to me putting Todd in the middle of two semi-trucks. Paul spoke to both of us. Then said "hey Todd you scared of these" then exposed the young lady breast, began to laugh then drove off. As Paul pulled away Todd unzipped his gun sprouting displeasure with the job, his life after separation from his family and people of color. I readjust my seat so Todd wouldn't have clear view of me. I told Ron about this incident with Todd. Ron reply was "it's was probably his pellet gun he being it in sometimes to shoot pigeons in the warehouse." The more I complaint with Ron the more hostile they became. Obama was elected the first Black President and set to take the walk to White house. Dan said to me "Can't let your people rent property when y'all move you got to repair or you got to evict them and repair." By the way "How did they let that spark in the white house." What y'all going to do was paint the White house black. Dan said they should kill that son of a bitch just like they kill King and Malcolm X. Dan and I got into a very heated argument, so heated I feared for my safety as he drove away on the forklift. Dan immediately told Ron. Ron ordered my white co-workers to stop talking to me. A few days after Dan and I argued I approached Ron to discuss Rebekah Vuckovic and his decision in truck assignments. I believed it was racially motivated. In the mean while Eugene continue using the "N" word. Late January early February I began receiving harsh discipline for uninvestigated incidence while my

## STATEMENT OF CLAIM-Continued

white counter parts received no discipline for major infraction. February 3<sup>rd</sup> 2009, I met with then Safety director Ronald Neumuth to discuss a accident I had on 1/29/09, in which I blew the Right Rear Trailer Tire. When I realized I knew him from my last job, I received a three day suspension and a company handbook. Meanwhile white drivers were ripping bumper from their trucks or rolling truck over and received no discipline whatsoever. When I return from suspension I was removed from the truck and placed in the warehouse part-time. While I work part time at West Allis Warehouse I had a conversation with President Mike Miller. I told him about the disparity in discipline between white drivers and myself and the fact I wasn't assign any truck to drive. Warehouse workers at Uihard st. warehouse still wasn't talking to me by May 2009, while Eugene continued using "N" word. By this time I'm required to load the freight or have it pre-loaded the night before I could transport the freight. White drivers doing similar load were loaded by white warehouse workers. May 19, 2009, Ronald Neumuth rubber stamps the company policy against suspending me, this time citing improper per trip. I told a white driver roll a truck and trailer over with a load because he didn't secure his load "not properly secured load" but received no discipline. June 2, 2009, I informed Ronald Neumuth I was going to court June 3, 2009 for a ticket I received May 14, 2009, while on duty. Ronald Neumuth said let me know how you come out. June 3, 2009, Tim Hanson met me on the courthouse steps. Hanson said he was there to fight the ticket for a crack windshield. He plead no contest and paid the ticket. I met Hanson again as we left court. I ask that I be dispatch from my location as he called West Allis, he said ok. June 4, 2009, Hanson terminated me for unauthorized use of company equipment. I informed Hanson, Ron gave me authorization to use the truck. I immediately took up my being terminated to Mike Miller. I explain to Miller, Ron gave me authorization. Mike Miller replied "you don't tell me what to give my truck too" "you are fired." June 3<sup>rd</sup> 2009, Hanson in his contract "I agree" I reported to the safety director where that equipment would be on June 3<sup>rd</sup>. June 2<sup>nd</sup>, I reported to the where that equipment (Dispatcher) would be and to dispatch me from the location from which she has done many time from my home and out of town. June 2<sup>nd</sup> I reported to Ron Mahrick where that equipment would be on June 3<sup>rd</sup>, and he never rescinded the usage.

END STATEMENT OF CLAIM

Revised 05/2013

#### IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

Five years of loss wages, punitive and compensatory damages

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 9 day of May, 2015.

Larry Brooks

  
(Signature of Plaintiff(s))